

Message Text

UNCLASSIFIED

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SUBJ: VISIS: ADVISORY OPINION: TREATY TRADER

DEPT'S ADVISORY OPINION REQUESTED REGARDING THE ENTITLEMENT TO TREATY TRADER STATUS OF AN APPLICANT OTHERWISE QUALIFIED THEREFOR WHO IS TO BE EMPLOYED BY THE FIRM UNITOR SHIPS SERVICE OF NEW YORK, A US BRANCH OFFICE OF AND WHOLLY OWNED BY UNITOR SHIP SERVICE A/S OF OSLO, OWNED BY NORWEGIAN SHAREHOLDERS. UNITOR S.S. OF NEW YORK IS ENGAGED IN SELLING GOODS AND SERVICES TO MERCHANT SHIPS TRADING IN THE NEW YORK AREA. WHILE 58 PERCENT OF THE BUSINESS OF UNITOR S.S. OF NEW YORK IS CONDUCTED WITH SHIPS OF NORWEGIAN REGISTRY OR SHIPS OWNED BY NORWEGIAN FIRMS, UNITOR S.S. OF OSLO IS UNABLE TO DETERMINE WHAT PERCENTAGE OF THE SHIPS (NORWEGIAN AND OTHER) WITH WHICH UNITOR S.S. OF NEW YORK DOES BUSINESS ARE ENGAGED IN THE TRANSPORT OF GOODS OR PASSENGERS SPECIFICALLY BETWEEN THE US AND NORWAY. IT APPEARS THAT LESS THAN 51 PERCENT OF SUCH SHIPS ACTUALLY RUN BETWEEN THE TWO COUNTRIES. FROM THE PRECEDING INFO, IS UNITOR S.S. OF NEW YORK ENGAGED IN "TRADE" WITHIN THE MEANING OF 101(A)(15)(E)(I) OF THE ACT? TELEGRAPHIC RESPONSE REQUESTED.
BYRNE

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